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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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IN RE:

**SEARS HOLDING CORPORATION,  
INC, et al**

Chapter 11

Debtors.

Case No. 18-23538 (rdd)  
(jointly administered)

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**SUPPLEMENTAL OBJECTION OF UNION CENTER REALTY, LLC (STORE NO.  
3268) TO DEBTORS' NOTICE TO CURE COSTS AND POTENTIAL ASSUMPTION  
AND ASSIGNMENT OF EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Union Center Realty, LLC (“Union Center”), by and through its attorneys Reich, Reich & Reich, PC, as and for its supplemental objection to the “Notice of Cure Costs and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Global Sale Transaction” (the “Cure Notice”) and Debtors’ Notice of Assumption and Assignment of Additional Designatable Leases (the “Notice of Assumption”)(ECF Docket No. 3298) filed by the above-captioned debtors and debtors-in-possession (the “Debtor”) represents as follows:

1.) On or about October 15, 2018 the Debtor, including Kmart Holding Corporation (“Kmart”), filed petitions for bankruptcy relief pursuant to Chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”). The Debtor has continued to operate its business and manage its properties as a debtor-in-possession pursuant to §§ 1107 and 1108 of the Bankruptcy Code.

2.) Union Center is the owner of the real property located at 910 Wilkes Barre Township Boulevard, Wilkes-Barre, PA, also known as Blackman Plaza (“Shopping Center”). Union Center is the successor landlord and Kmart, formally known as S.S. Kresge Company, is the tenant under a lease dated March 29, 1974, as amended by the November 26, 1976, First Amendment to Lease (the “Lease”) for a portion of the Shopping Center that houses Kmart, the Debtor entity.

3.) On or about January 18, 2019 the Debtor served the Cure Notice. Schedule “B” attached to the Cure Notice at line No. 187 provides that the Cure Amount for the Lease is \$0.00.

4.) On January 23, 2019, Union Center timely filed its Objection to the Debtors’ Notice to cure costs and potential assumption and assignment of executory contracts and unexpired leases (ECF Docket No. 1771) submitting that the actual cure amount due under the Lease is \$42,642.99, representing unpaid real estate taxes allocable to the Lease for the year 2018 (“First Objection”).

5.) On April 19, 2019 the filed Debtor file the Notice of Assumption with respect to Lease and notwithstanding the First Objection again provided that the cure amount due under the lease is \$0.00.

6.) Additional amounts due under the Lease have accrued since the filing of the First Objection in the amount of \$18,536.78. A copy of the statement and invoices detailing the additional amount due Union Center under the lease is annexed hereto as Exhibit A.

7.) A copy of the invoice dated April 26, 2019 from Union Center to the Debtor for the unpaid 2018 real estate taxes and the 2019 County and Sewer Taxes in the total amount of \$61,179.77 is annexed hereto as Exhibit B.

8.) Union Center reserves the right to supplement and/or amend this objection prior to the hearing date to include any and all additional unpaid amounts due it under the Lease.

WHEREFORE, Union Center respectfully requests the entry of an order pursuant to 11 U.S.C. §365(b)(1) requiring that prior to assuming and assigning the Lease that the Debtor cure the unpaid 2018 real estate taxes, the unpaid 2019 County Taxes and the unpaid 2019 Sewer Fees due under the Lease in the total amount of \$61,179.77 along with any and all other cure amounts due under the Lease that arise prior to the actual date that the Lease is assumed, along with such other and further relief as is just and proper.

Dated: White Plains, New York  
April 26, 2019

REICH, REICH & REICH, PC  
Attorneys for Union Center Realty LLC

By: /s/ Jeffrey A. Reich  
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